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Lie Detectors Lie

By Dorothy J. Samuels and Norma Rollins

While the Reagan Administration's reliance on polygraph tests in its campaign to deter unauthorized disclosures to the news media is unlikely to plug all leaks, the practice highlights the threat to personal privacy by employers' use of the so-called lie detectors.

The polygraph, as many Pentagon officials recently learned, is an intrusive, arbitrary, and unreliable method of evaluation. Most people who are required to take the test as a condition of employment find the experience traumatic and humiliating — the equivalent of a mental strip-search.

The use of lie-detectors to screen job applicants and to uncover misconduct by employees has grown drastically in recent years.

In 1981, well over one million employment-related polygraph tests were administered, representing at least a fivefold increase over the number in 1975. During the same period, the number of practicing polygraphers doubled. Though banned or strictly limited in 19 states and the District of Columbia, here in New York State, as in the majority of other states, polygraph testing is a burgeoning industry.

The myth is that polygraphs are scientific devices that can pinpoint deceptions with precision, and it is easy to understand why employers would find this idea seductive. In truth, however, the polygraph is not a "lie detector" at all. It simply measures changes in blood pressure, heart rate, and skin response while a person undergoes questioning. The theory by which it is supposed to uncover lies rests on a flawed assumption that lying causes a stressful response that is recorded by the machine.

One fault with this reasoning is that deception can produce differing reactions, depending on the individual and circumstances. For instance, a subject who believes what he says to be true or who doubts that the test can detect falsehood is unlikely to manifest symptoms of guilt or anxiety.

In addition, other factors, such as a subject's anger or humiliation over the experience of being hooked up to a mysterious machine and subjected to an intrusive interrogation could well provoke a stressful reaction that an examiner can easily misinterpret.

A study published last fall by the Association of the Bar of the City of New York on "The Use of Polygraphs by Employers" cites the case of a Los Angeles supermarket clerk who was dismissed upon the finding of a polygraph examiner that she had lied when she denied regularly giving her mother a discount on groceries. Actually, her mother had died five years earlier, and what the machine detected was her sense of loss, not larceny. Such examples abound.

Though the outcome of any test depends upon the subjective judgment of an examiner, the requirements of the "profession" are neither rigorous nor uniform. These modern-day inquisitors need not have any training to practice in most states. And even in states that license examiners, only minimal standards have been set; no knowledge of psychology or physiology is required.

Beyond questions of accuracy and the qualifications of examiners are basic civil liberties concerns. Use of the polygraph violates some of our society's most cherished values such as the right of privacy, the privilege against self-incrimination, and the presumption of innocence. Therefore, even if the validity of polygraph tests were provable, their application by employers would still be troubling.

Many employers rely on polygraphs to ask deeply personal, sometimes illegal, questions that they would dare not pose during normal interviews. Desperate to be judged "truthful" by the

supposedly all-knowing machine, subjects are pressed to "confess" embarrassing information about such things as sexual practices, youthful offenses, and the use of alcohol in order to avoid failing the test and losing the chance of employment.

Thus, the test is commonly a ploy to uncover potentially damaging information that the employer can use in making hiring and firing decisions. The ironic result is that many people lose jobs or are refused them as a result of tests that indicate not that they lied but that they told the truth.

The machine lends an aura of science to the entire process, though there is no evidence that a polygraph's account of an individual's psyche will bear any relationship to job performance. What makes matters worse is that in most of the country there is no limit on dissemination of the personal information obtained during the test.

To continue to grant employers broad discretion to coercively gather information about employees' personal lives diminishes individual freedom in an important and tangible way. The answer lies not in regulation but in completely banning the use of the polygraph by employers.

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